

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

2A Alex and Lillian G. Lamm Living Trust (Trust)

Case No. 12CEPR00687

Atty Atty Baldwin, Kenneth A. (of McCormick Barstow, for Allene Joyce Lamm O'Neal – Co-Trustee – Petitioner)
Poochigian, Mark (for Duane Lamm – Co-Trustee)

Petition to Compel Co-Trustee Duane Alan Lamm to File Report and Account After Written Request; to Remove Duane Alan Lamm as a Co-Trustee; to Redress Breaches of the Trust by Duane Alan Lamm; to Divide and Distribute the Trust Estate; and to Terminate the Trust [Prob. C. 15642 & 17200 et seq.]

	Alex Lamm DOD: 11-17-90		
	an Lamm	=	
	D: 11-19-06		
Co	nt. from 092012.		
	912, 022513,		
031	813		
	Aff.Sub.Wit.		
>	Verified		
	Inventory		
	PTC		
	Not.Cred.		
>	Notice of Hrg		
>	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video		
	Receipt		
	CI Report		
	9202		
~	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

ALLENE JOYCE LAMM O'NEAL, Co-Trustee, is Petitioner and states:

- Trustors Alex and Lillian created the Alex and Lillian Lamm Living Trust (the "Trust") on 3-11-88.
- The Trust was amended and restated on 9-21-90.
- Alex died on 11-17-90, causing the trust to be divided among the Alex Lamm By-Pass Trust, the Alex Lamm Marital Trust, and the Lillian G. Lamm Survivor's Trust, which remained revocable.
- The Survivor's Trust was amended twice: on 6-7-04 and 2-17-05.
- Lillian died on 11-19-06.
- For purposes of this petition, "Trust" refers to all three trusts collectively.

Petitioner states the Trust provides that she and her brother **DUANE ALAN LAMM** were to become cotrustees on the death of the Trustors; however, since Lillian's death, Duane has asserted exclusive control over most of the assets of the Trust.

The Trust as amended provides that the Marital Trust and the By-Pass Trust are to terminate and be distributed to Duane and Allene in equal shares immediately following Lillian's death.

The Survivor's Trust as amended provides that the Survivor's Trust is to terminate at Lillian's death and is to be distributed as follows:

- To BLAKE LAMM (Trustors' grandson) a fractional portion (56.64%) of the Survivor Trust's ownership interest (45.56%) in certain real property in Reedley consisting of approx. 76 acres; and
- To DUANE and ALLENE, the residue of the Survivor's Trust estate, in equal shares, which includes that the share apportioned to ALLENE is to include a certain residence ("Allene's Residence") and that the share apportioned to DUANE is to include the Trustors' residence, without affecting the equality of the shares.

SEE ADDITIONAL PAGES

NEEDS/PROBLEMS/COMMENTS:

Page 4B is Status Re Settlement

Minute Order 9-20-12:

Paul O'Rourke [McCormick Barstow] is appearing via conference call. Mr. Poochigian advises the Court that he filed his objections this morning. The Court accepts Mr. O'Rourke's representation that no additional parties need to be provided notice. The Court notes that there is no objection by Mr. Poochigian regarding the issue of notice. At the request of Mr. O'Rourke, the Court orders Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present. The Court orders that the accounting to be completed by 11/19/12. Continued to 11/29/12, Status Conference Set on 11/29/12.

Minute Order 11-29-12: Parties request the matter be set for trial. Matter set for Court Trial on 3/29/13 with a one-day estimate. The Court sets a Settlement Conference on 2/25/13. Counsel is directed to submit their settlement conference statements along with a courtesy copy for the Court on the Thursday before the hearing. The Court authorizes Mr. O'Rourke to file his objections. The Court advises counsel that it will accept the objections subject to any filing fees. Set on 2-25-13 at 10:30am for Settlement Conference. Additional hearing date: 3-29-13 at 10am for Court Trial.

 The proposed order includes a blank for a surcharge amount to be filled in for attorney's fees. The Court may require clarification and further documentation regarding the amount requested.

Reviewed by: skc

Reviewed on: 7-16-13

Updates:

Recommendation:

File 2A - Lamm

Page 2

Petitioner states:

- The Trust Estate includes real estate, corporate stock, gemstones and cash, including an undivided 75% ownership interest as tenant in common in certain commercial real property consisting of an office building (the "commercial building") in Reedley, which is leased to Chase Bank. (The other 25% is owned by Duane's former spouse, Linda W. Lamm.)
- Petitioner states that since Lillian's death, Duane has been and continues to collect all rent from the Commercial Building personally and deposits same into his bank account without Allene's consent and in breach of the terms of the Trust.
- The Trust Estate also includes gemstones and precious metals, including specified items, and a Wells Fargo checking account, which is under Duane's exclusive control in breach of the terms of the Trust.
- The Trust Estate also includes 55% of the issued and outstanding common stock of Al Lamm Ranch, Inc., a California corporation. Allene and Duane each own 22.5%. Petitioner states Duane possesses and controls all of the assets of the Corporation and uses those assets for the exclusive benefit of his personal farming operations to the detriment of the Corporation and its majority owner, the Trust.
- The 76 acres of farmland (the "Home Ranch") located in Reedley is owned by the Trust and leased to Rio Vista Limited Partnership under a lease dated 10-1-05 that expires 9-30-20. Petitioner states all rent from the Home Ranch has been and continues to be collected by Duane and deposited in his personal accounts over which he has exclusive control. Duane has not provided Allene with any accounting nor made any distributions of such rental income to Allene in breach of the Trust.
 - <u>Examiner's Note</u>: It is unclear if this is the same 76 acres as is specified in the devise to Blake Lamm, since the devise indicates that the Trust owns only a partial interest of 45.56%, but this section of the petition indicates that the Trust owns this real property. The Court may require clarification.
- Petitioner states that at Lillian's death, Duane unilaterally assumed the primary duties of administering the Trust Estate, and appointed himself as the Trust decision maker and used his knowledge of the family holdings to single-handedly control the management of the Trust Estate while excluding Allene as a trustee in violation of Probate Code § 15620, which requires unanimous consent of co-trustees for action. Specifically, Petitioner states Duane has insisted on exercising exclusive control over the Commercial Building, Home Ranch and Corporation because those assets provide him with his primary source of income. Duane also holds physical possession of the specified gemstones and precious metals.
- Petitioner states she formally demanded an accounting and proposed division and distribution of the Trust
 Estate in a letter to Duane's attorney Mark Poochigian on 5-17-12, which letter has been ignored. Duane
 appears reticent in providing a full and complete disclosure of this acts and proceedings involving the Trust and
 has been less than forthcoming in his response to Allene's requests for information. Because of Duane's refusal
 to provide information and his exclusive control over the assets, including all bank accounts, for over five years,
 Duane should be directed to file full accounting.
- Petitioner states Duane has committed numerous breaches of trust by collecting all rents in connection with the Commercial Building and Home Ranch and depositing them into his personal accounts. By doing so, he has converted assets – a clear breach of trust.
- Duane has personally benefitted from his exclusive control and use of the equipment owned by the
 Corporation, the controlling shares of which are owned by the Trust. Neither the Corporation nor the Trust has
 received any benefit from Duane's personal use of such equipment.
- Petitioner further alleges that Duane has taken unauthorized withdrawals of cash from the Trust another clear breach of the Trust and Probate Code § 15620 – without her consent, and no equalizing distributions have been made to Petitioner.

SEE ADDITIONAL PAGES

2A Alex and Lillian G. Lamm Living Trust (Trust)

Case No. 12CEPR00687

Page 3

- Finally, Duane has refused for well over five years to cooperate with Petitioner in division and distribution of the Trust Estate to the beneficiaries notwithstanding the terms of the Trust which require termination and immediate division and distribution following Lillian's death.
- Probate Code § 15642 empowers this Court to remove a trustee who has committed a breach or whose hostility
 or lack of cooperation with the other co-trustees impairs the administration of the Trust. Redress should also
 include removal of Duane as a co-trustee for his conversion of assets, unauthorized withdrawals, and refusal to
 cooperate. Such redress will allow Petitioner as the sole trustee to complete the necessary division and
 distribution as required by the express terms of the Trust.
- Redress should also include attorneys' fees and legal costs, as Petitioner has been forced to take extreme
 measures to compel Duane to carry out his fiduciary duties. Section 1 (f) of the Trust allows the trustee to employ
 attorneys on behalf of the trust to assist in carrying out her duties. Petitioner, in carrying out her duties, has been
 required to retain counsel and incur legal costs to compel Duane to carry out his duties. Such fees and costs
 should be surcharged against Duane's beneficial interest in an amount according to proof.
- The Trust was to terminate on Lillian's death, which was over five years ago. Duane has refused to cooperate with Allene in dividing and distributing the Trust Estate to beneficiaries in accordance with the express terms of the Trust. Under Probate Code §§ 17200(b)(13) and (14), this Court has the authority and should order termination and distribution.

Petitioner requests the Court Order:

- That Duane be directed to prepare and file within 30 days an account of the Trust from Lillian's death (11-19-06) through present, accompanied by a schedule of property, current market value, and all liabilities of the Trust;
- That Duane be compelled to restore to the Trust all Trust assets that he has converted for his personal use and benefit;
- That Duane be compelled to either return to the Trust all unauthorized cash advances that he has taken from the
 Trust Estate as described, plus interest at the max. legal rate, or in the alternative, be compelled to cause the
 Trust to make an equalizing distribution to Allene, plus interest;
- That Duane be removed as a co-trustee of the Trust;
- Directing that the Trust be terminated and the Trust Estate be divided and distributed to the Trust beneficiaries in accordance with the express terms of the Trust;
- For attorneys' fees and legal costs incurred by Petitioner in connection with this Petition to be surcharged against Duane's share of the Trust Estate; and
- For such other and further orders and relief as the Court may deem appropriate.

2A Alex and Lillian G. Lamm Living Trust (Trust)

Case No. 12CEPR00687

Page 4

Further Notes re status:

On 9-20-12, at the request of Mr. O'Rourke, the Court ordered Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present be completed by 11-19-12.

On 11-20-12, Mr. Poochigian filed a Declaration stating that his office sent a letter to Kenneth Baldwin's office on 11-19-12 enclosing an accounting from 11-19-06 through 10-31-12 (attached).

Minute Order 9-20-12: Paul O'Rourke [McCormick Barstow] is appearing via conference call. Mr. Poochigian advises the Court that he filed his objections this morning. The Court accepts Mr. O'Rourke's representation that no additional parties need to be provided notice. The Court notes that there is no objection by Mr. Poochigian regarding the issue of notice. At the request of Mr. O'Rourke, the Court orders Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present. The Court orders that the accounting to be completed by 11/19/12. Continued to 11/29/12, Status Conference Set on 11/29/12.

Note: No accounting has been properly filed for Court review; however, Objections to Accounting of Co-Trustee, Duane Alan Lamm were filed 11-30-12.

Examiner notes that an accounting (attached to Declaration) was sent to Petitioner's attorney; however, the accounting was not filed as a Petition for Court review.

Therefore, Examiner has not reviewed the schedules or the objections.

If the Co-Trustee's Accounting is to be reviewed by the Court, need Petition with appropriate filing fee.

<u>Minute Order 2-25-13</u>: Counsel informs the Court that a settlement agreement is in progress. Matter continued. Status hearing set (Page 4B).

2B Atty Atty

Alex and Lillian G. Lamm Living Trust (Trust)

Case No. 12CEPR00687

Baldwin, Kenneth A. (of McCormick Barstow, for Allene Joyce Lamm O'Neal – Co-Trustee – Petitioner)
Poochigian, Mark (for Duane Lamm – Co-Trustee)

Status Hearing Re: Settlement Agreement

	1
	F
	
	1
Cont. from 031813	= F = F [
Aff.Sub.Wit.	Ī
Verified	
Inventory]
PTC	7
Not.Cred.	F
Notice of Hrg	= [
Aff.Mail	=
Aff.Pub.	╡ '
Sp.Ntc.	
Pers.Serv.	7
Conf. Screen	= (= (
Letters]
Duties/Supp	
Objections	= / = 1
Video	
Receipt	- (
CI Report	
9202	
Order] /
Aff. Posting	†
Status Rpt	- S
UCCJEA	<u> </u>
Citation	- / /
FTB Notice	

ALLENE JOYCE LAMM O'NEAL, Co-Trustee, filed Petition to Compel Co-Trustee DUANE ALAN LAMM to File Report and Account after Written Request, to Remove DUANE ALAN LAMM as Co-Trustee, to Redress Breaches of the Trust by

DUANE ALAN LAMM, to Divide and Distribute the Trust Estate, and to Terminate the Trust on 8-6-12.

DUANE ALAN LAMM filed Objections on 9-20-12.

At hearing on 9-20-12, the Court ordered Mr. Poochigian to prepare a formal accounting for the period commencing from the date of death to the present by 11-19-12, and the matter was continued to 11-29-12.

On 11-20-12, Attorney Poochigian filed a declaration that appears to contain an informal unverified "accounting" that was sent to Mr. Baldwin.

At hearing on 11-29-12, the matter was set for trial on 3-29-13, settlement conference to be held on 2-25-13.

On 11-30-12, Allene Joyce Lamm O'Neal filed Objections to Accounting.

At hearing on 2-25-13, Counsel informed the Court that a settlement agreement is in progress. The Settlement Conference was taken off calendar and the Court set this status hearing re: Settlement Agreement for 3-18-13, and continued to 7-19-13 per Minute Order.

NEEDS/PROBLEMS/COMMENTS:

 Need status of settlement agreement. The petition at Page 2A remains pending.

Reviewed by: skc

Reviewed on: 7-16-13

Updates:

Recommendation:

File 2B – Lamm

2B

Atty

Mele, James J., sole practitioner (for Co-Administrators Adle Eberwein and David Eberwein)

Probate Status Hearing Re: Filing Inventory and Appraisal

DOD: 3/19/2012	ADELE ANN EBERWEIN and DAVID EBERWEIN, grandchildren, were appointed Co-Administrators with Full IAEA without bond on 2/19/2013. Letters issued on 3/21/2013.	NEEDS/PROBLEMS/COMMENTS:
Cont. from Aff.Sub.Wit. ✓ Verified Inventory PTC Not.Cred. Notice of Hrg Aff.Mail Aff.Pub. Sp.Ntc. Pers.Serv. Conf. Screen Letters Duties/Supp Objections Video Receipt CI Report 9202 Order Aff. Posting Status Rpt UCCJEA Citation FTB Notice	 Minute Order dated 2/19/2013 from the hearing on the appointment set this Status Hearing for filing of the inventory and appraisal. Declaration of James J. Mele and Request for Continuance of Status Hearing filed 7/9/2013 states the Co-Administrators have not filed the Inventory and Appraisal for the following reasons: One of the Co-Administrators was hospitalized for a period and that caused some delay; Further, they were in the process of attempting to locate and secure all [emphasis in original] assets of the estate before filing an Inventory and Appraisal to avoid filing partials; They believe they have now identified and secured all estate assets and are in the process of preparing, executing, obtaining referee appraisals, and filing the documents with the Court and they expect to do so within the next 30 days, and expect to file a closing petition shortly thereafter; In view of the above, Attorney Mele respectfully requests that the status hearing in this matter be continued to 8/23/2013 to allow the parties to complete the final Inventory and Appraisal and submit it to Court, and if submitted prior to that date, that the matter be taken off calendar. 	Reviewed by: LEG Reviewed on: 7/16/13 Updates: Recommendation: File 3 – Lipston

3

Miller, Jennifer A

Probate Status Hearing Re: Filing Proof of Bond

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:		
		OFF CALENDAR
	1	Bond filed on 06/20/13
Cont. from	1	
Aff.Sub.Wit.		
Verified	1	
Inventory		
PTC		
Not.Cred.]	
Notice of]	
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.]	
Screen		
Letters		
Duties/Supp		
Objections		
Video]	
Receipt		
CI Report		
9202		
Order		
Aff. Posting	_	Reviewed by: JF
Status Rpt	_	Reviewed on: 07/16/13
UCCJEA	_	Updates:
Citation	_	Recommendation:
FTB Notice		File 4 – Lozano

Pro Per

5

Turner, Aaron, Sr. (Conservator, deceased)

Probate Status Hearing Re: Terminate Conservatorship Proceedings Based Upon Deceased Conservator

Ag	e: 30 years	AARON TURNER, SR., father, was appointed	NEEDS/PROBLEMS/COMMENTS:
DC	B: 1/20/1983	Conservator of the Person on 4/5/2001.	
Co	nt. from	Notice of Status Hearing filed 6/6/2013 set this status hearing for termination of the conservatorship.	
	Aff.Sub.Wit.	Court Investigator Jo Ann Morris' Report filed	
	Verified	5/24/2013 states:	
	Inventory	• On 4/23/2013, she went to the home of the	
	PTC	Consevatee and Conservator to interview them, and was informed by the Conservatee's	
	Not.Cred.	adult sister, YVONNE TURNER , that the	
	Notice of Hrg	Conservator passed away in March of 2013,	
	Aff.Mail	and the Conservatee was placed in a board	
	Aff.Pub.	and care home in Tulare;Yvonne stated her brother, DARON TURNER,	
	Sp.Ntc.	promised the Conservator before he passed	
	Pers.Serv.	that he would become Conservator for the	
	Conf. Screen	Conservatee; however, she stated Daron is in	
	Letters	the military and doesn't reside in California;	
	Duties/Supp	Court Investigator was unsuccessful in her attempts to contact Daron Turner;	
	Objections	Court Investigator contacted the	
	Video	Conservatee's CVRC worker, MIGUEL HARO , on	
	Receipt	5/13/2013, and he stated the Conservatee was	
<u> </u>	CI Report	doing well in his placement in Tulare, and that	
√	9202	the Conservatee's payee is CVRC; he stated he had not heard from Daron since the	
<u>*</u>	Order Aff. Posting	Conservatee was first placed on 3/19/2013;	Reviewed by: LEG
	Status Rpt	Mr. Haro stated he could manage the	Reviewed by: 12G
	UCCJEA	Conservatee's case just fine without	Updates:
	Citation	conservatorship;	Recommendation:
	FTB Notice	 It appears the conservatorship is not necessary as CVRC has taken over handling the case since the Conservator's death in March 2013; therefore, it is recommended the conservatorship be terminated. 	File 5 – Turner
		conservators lip be terminated.	

Sullivan, Robert L. (for Monique M. Hutchings – Administrator with Will Annexed)

Probate Status Hearing Re: Failure to File a Final Account or Petition for Final Distribution

DC	D: 04/05/03	EDWARD L. MYERS, JR. and MONIQUE M.	NEEDS/PROBLEMS/COMMENTS:
		HUTCHINGS, were appointed as Co-	
		Administrator's with Will Annexed on	Need Final Accounting and/or
		08/19/03.	Petition for Final Distribution <u>or</u>
	nt. from		current written status report
<u> </u>		Letters of Administration with Will Annexed	pursuant to Local Rule 7.5, which
	Aff.Sub.Wit.	were issued on 08/19/13.	states: In all matters set for status
	Verified	Inventor (C Apprehed postal No. 1 fled	hearing, verified status reports must be filed no later than 10
	Inventory	Inventory & Appraisal , partial No. 1 filed 04/08/04 - \$707,312.97	days before the hearing. Status
	PTC	04/00/04 - \$/0/,312.//	Reports must comply with the
	Not.Cred.	Inventory & Appraisal, final filed 04/21/04	applicable code requirements.
	Notice of	- \$16,968.64	Notice of the status hearing,
	Hrg	·	together with a copy of the Status
	Aff.Mail	Inventory & Appraisal, partial No. 1	Report shall be served on all
	Aff.Pub.	corrected filed 11/10/04 - \$877,312.97	necessary parties.
	Sp.Ntc.	Petition for Preliminary Distribution and	
	Pers.Serv.	Statutory Fees filed 03/16/05 was granted on	
	Conf.	06/02/05.	
	Screen		
	Letters	Ex Parte Petition for Amended Letters	
	Duties/Supp	granted 05/30/13 ordered that Monique M.	
	Objections	Hutchings is the sole Administrator following	
	Video	the death of Edward L. Myers, Jr. and set this matter for status.	
	Receipt	Thanel of sidios.	
	CI Report	Amended Letters of Administration with Will	
	9202	Annexed were issued on 06/05/13.	
	Order		
	Aff. Posting		Reviewed by: JF
	Status Rpt		Reviewed on: 07/16/13
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 6 – Myers

7

Atty Lee, Curtis (pro per former Administrator)
Atty Kruthers, Heather (for Public Administrator)

Status Hearing Re: Filing of the Account and/or Petition for Final Distribution

DOD: 10/19/87	CURTIS LEE , son, was appointed Administrator	NEEDS/PROBLEMS/COMMENTS:
	with Will Annexed with bond in the amount	
	of \$9,000.00 on 01/13/04.	
	5	Need current written status report
Cont. from 092812,	Bond was filed 02/19/04 and Letters were	pursuant to Local Rule 7.5 which
111612, 011813	issued on 03/30/04.	states in all matters set for status hearing verified status reports
Aff.Sub.Wit.	I & A showing the value of the estate at	must be filed no later than 10
Verified	\$9,000.00 was filed on 03/22/04 and	days before the hearing. Status
Inventory	Reappraisal for Sale I & A filed 04/01/01	Reports must comply with the
PTC	showed the value of the estate at \$13,000.00.	applicable code requirements. Notice of the status hearing,
Not.Cred.	\$13,000.00.	together with a copy of the Status
Notice of	On 8/29/12 the attorney of record, Darlene	Report shall be served on all
Hrg	Kelly, was relieved as counsel.	necessary parties.
Aff.Mail	·	
Aff.Pub.	Minute Order from 8/29/12 the court set an	
Sp.Ntc.	Order to Show Cause hearing regarding Curtis Lee's failure to file an accounting.	
Pers.Serv.	Curtis Lee was ordered to be personally	
Conf.	present on 9/28/12. Counsel need not	
Screen	appear.	
Letters		
Duties/Supp	On 9/28/12 there were no appearances.	
Objections	Minute order dated 11/16/12 states the court	
Video	on its own motion removes Curtis Lee as the	
Receipt	administrator and appoints the Public	
CI Report	Administrator.	
9202		
Order	Letters for Successor Administrator with Will	
Aff. Posting	Annexed were issued for the Public Administrator on 12/11/2012.	Reviewed by: KT
Status Rpt	AGITHI IISTICIO OH 12/11/2012.	Reviewed on: 7/16/13
UCCJEA	The bonding company was mailed notice of	Updates:
Citation	Curtis Lee's removal as Administrator on	Recommendation:
FTB Notice	12/12/12.	File 7 – Baker

Atty

Villanueva, Rosie (pro per – guardian of the Person & Estate)

Probate Status Hearing Re: Accounting and/or Report to the Court Regarding the Assets of the Guardianship

Ag	e: 18	ROSIE VILLANUEVA, maternal grandmother,	NEEDS/PROBLEMS/COMMENTS:
		was appointed guardian of the Person and Estate on 02/07/2000. Letters of	Need Accounting and/or Report
		Guardianship were issued on 02/07/2000.	to the Court regarding assets of
			the Guardianship.
<u> </u>	nt. from	Inventory & Appraisal, final filed 08/09/2000	
Co	Aff.Sub.Wit.	- \$325.68	Note: The Inventory & Appraisal filed
		Ex Parte Petition for Withdrawal of Funds from	08/09/2000 lists an insurance claim for wrongful death, amount uncertain as an
	Verified	Blocked Account was filed 06/13/13 stating	asset. It does not appear that a
	Inventory	that Nicolette has reached the age of 18	Supplemental Inventory & Appraisal was
	PTC	and requesting to withdraw funds held in a	ever filed upon the settlement of that
	Not.Cred.	blocked account.	insurance claim. Nothing further was filed
	Notice of Hrg	Order on Ex Parte Petition for Withdrawal of	in the matter until the Ex Parte Petition for Withdrawal of Funds from Blocked
	Aff.Mail	Funds from Blocked Account set this matter	Account.
	Aff.Pub.	for status regarding accounting and/or	/ CCCOTII.
		Report to the Court Regarding the Assets of	Note: Rosie Villanueva was represented
	Sp.Ntc.	the Guardianship.	by William F. Hancock in her initial Petition
	Pers.Serv.		to be appointed as Guardian. The Ex
	Conf. Screen		Parte Petition to Withdraw funds from Blocked Account was filed by Rosie
	Letters		Villanueva in pro per.
	Duties/Supp		,a. 100 va p. 0 por
	Objections		
	Video		
	Receipt		
	CI Report		
	9202		
	Order		
	Aff. Posting		Reviewed by: JF
	Status Rpt		Reviewed on: 07/16/13
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 8A – Martinez

8A

Atty

Villanueva, Rosie (pro per – guardian of the person and estate)

Reconsideration of the Petition for Withdrawal of Funds from a Blocked Account

Age: 18		ROSIE VILLANUEVA, maternal grandmother,	NEEDS/PROBLEMS/COMMENTS:
		was appointed guardian of the Person and Estate on 02/07/2000. Letters of	As of 07/16/13, nothing further has been
		Guardianship were issued on 02/07/2000.	filed in this matter.
		Inventory & Appraisal, final filed 08/09/2000	The Order on Ex Parte Petition for
Cont. from		- \$325.68	Withdrawal of Funds from Blocked
Aff.Sub.W	Vit.	·	Account ordered that Rosie Villanueva
Verified		Ex Parte Petition for Withdrawal of Funds from	be personally present at the hearing if no
Inventory	/	Blocked Account was filed 06/13/13 stating that Nicolette has reached the age of 18	accounting and/or report is filed prior to the hearing.
PTC		and requesting to withdraw funds held in a	ine nearing.
Not.Cred	i.	blocked account.	Note: Rosie Villanueva was represented
Notice of	f		by William F. Hancock in her initial Petition
Hrg		Order on Ex Parte Petition for Withdrawal of	to be appointed as Guardian. The Ex
Aff.Mail		Funds from Blocked Account set this matter for reconsideration of the Petition for	Parte Petition to Withdraw funds from Blocked Account was filed by Rosie
Aff.Pub.		Withdrawal of Funds from Blocked Account.	Villanueva in pro per.
Sp.Ntc.		William and a control last in Blook as a file and a control last in Bl	7 man 186 7 a 11 7 p. 6 p. 6 n.
Pers.Serv.	' .		
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Letters Co.			
Duties/Su			
Objection	ns		
Video Receipt			
CI Report	t		
9202			
Order			
Aff. Postin	ng		Reviewed by: JF
Status Rp	ot		Reviewed on: 07/16/13
UCCJEA			Updates:
Citation			Recommendation:
FTB Notice	e		File 8B – Martinez

Duarte, Evelyn S. (pro per – Executor)

Probate Status Hearing Re: (1) Failure to File Inventory and Appraisal; (2) Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.]

DOD: 04/19/07	
Cont. from 042613,	
062113	
Aff.Sub.Wit.	
Verified	
Inventory	
PTC	
Not.Cred.	
Notice of	
Hrg	
Aff.Mail	
Aff.Pub.	
Sp.Ntc.	
Pers.Serv.	
Conf.	
Screen	
Letters	
Duties/Supp	
Objections	
Video	
Receipt	
CI Report	
9202	
Order	
Aff. Posting	
Status Rpt	
UCCJEA	
Citation	
FTB Notice	

EVELYN S. DUARTE, sister, was appointed Executor with full IAEA without bond on 07/10/07. Letters Testamentary were issued on 07/10/07.

Inventory & Appraisal filed 08/03/07 - \$155,000.00.

Notice of Status Hearing filed 03/01/13 set this matter for status. Clerk's Certificate of Mailing states that a copy of the Notice of Status Hearing was mailed to Evelyn S. Duarte on 03/01/13.

Status Report filed 07/16/13 states: The estate consists solely of real property located in Fresno. The property is occupied by Evelyn Duarte, Executor, and she pays the mortgage and homeowners association dues. There are liens on the estate from the decedent's creditors. The Executor has sent letters to each of the creditors. As of the date of this report, no money has been filed or requested or accepted on this estate.

NEEDS/PROBLEMS/COMMENTS:

CONTINUED FROM 06/21/13

Minute Order from 06/21/13 states: Ms. Duarte is directed to speak with the Court Examiner immediately following today's hearing. Ms. Duarte is advised that a status report will need to be filed before the next hearing.

1. Need Accounting and/or Petition for Final Distribution.

Note: Petitioner filed a Request for Dismissal on 06/12/13; however the Dismissal was not entered as requested because Letters have issued and a Request for Dismissal is not acceptable to close this estate. Need Accounting and/or Petition for Final Distribution.

Note to Judge:

The Executor was previous represented by Jill Spaulding. A Substitution of Attorney was filed 02/21/13 substituting out Jill Spaulding and stating that Ms. Duarte is now representing herself.

Several creditor's claims have been filed in this matter. Allowance or Rejection of Creditor's Claims were filed by the Administrator; however, there is no indication whether all of the creditor's claims have been allowed/rejected or paid.

Reviewed by: JF

Reviewed on: 07/16/13

Updates:

Recommendation:

File 9 - Flores

Margarita Macias Soto (Estate)

Cross, Robert W M (for Administrator Araceli Soto Gomez)

Probate Status Hearing Re: Failure to File Inventory and Appraisal; Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

[DOD 0/0/000/	This Account of Femiori of Find Distribution (Flob. C.	
DOD: 3/8/2006	ARACELI SOTO GOMEZ was appointed	NEEDS/PROBLEMS/COMMENTS:
	Administrator without bond with full IAEA authority	
	on 7/27/2009.	Continued from 11-9-12, 12-14-
	1	<u>12, 2-1-13, 3-15-13, 4-19-13, 5-31-</u>
C 110010	Letters issued on 7/27/2009.	<u>13</u>
Cont. from 110912,	Inventory and appraisal was due 12/27/2009.	
121412, 020113,		
031513, 041913,	First Account or Petition for Final Distribution was	
053113	due 7/27/2010.	Need first account or petition
Aff.Sub.Wit.		for final distribution <u>o</u> r current
Verified	= I&A filed 12-4-12 reflects a total estate value of	written status report.
	\$68,035.00 consisting of a 1/3 interest in real	
Inventory	property, various personal property items, and	Note: Declaration filed 12-12-
PTC	three vehicles.	12 indicated that Mr. Cross
Not.Cred.	Chatan Dan antilla di 10 10 10 de la la califación C	intended to request a
Notice of Hrg	Status Report filed 12-12-12 states Attorney Cross	corrected judgment of
Aff.Mail	has only a few days ago learned of a title problem	dissolution in the old family
Aff.Pub.	which he is in the process of addressing.	law case; however, Court
	Apparently after the decedent's divorce in 1983,	records do not indicate that
Sp.Ntc.	the decedent was awarded the property;	any request has been made.
Pers.Serv.	however, because the judgment does not contain	At this point, what steps have
Conf. Screen	a full property description or even the APN, there is	been taken to correct the title
Letters	no record of transfer to the decedent alone. It	issue?
	appears application will need to be made in the	
Duties/Supp	dissolution action to either modify the judgment or	
Objections	have the clerk sign a deed conveying title in	
Video	accordance with the judgment. Attorney Cross is	
Receipt	unable to attend the hearing on time, and requests the matter be trailed, or preferably,	
CI Report	continued to any date between	
9202	Jan 15-Feb 15, 2013.	
Order	<u> </u>	
	Status Report (unverified) filed 3-14-13 requests	Day faces all less also
Aff. Posting	- continuance to at least 4-19-13 because	Reviewed by: skc
Status Rpt X	clearance of title has not yet been completed.	Reviewed on: 7-16-13
UCCJEA	- clearance of fille has not yet been completed.	Updates:
Citation	Status Report (unverified) filed 4-18-13 requests	Recommendation:
FTB Notice	continuance to a date on or after 5-29-13 due to	File 10 - Soto
	unexpected delays in clearance of title.	
	orioxpoeted dolays in clodicaries of fine.	
	Status Report (unverified) filed 5-30-13 states	
	clearance of title to the 1/3 interest in real property	
	has still not yet been completed. Attorney Cross	
	requested four weeks. Matter continued to 7-19-13.	
	As of 7-16-13, nothing further has been filed.	
	1	
		10

Cowin, William L. (for Administrator Kamljit K. Ashat)

Probate Status Hearing Re: (1) Failure to File Inventory & Appraisal; (2) Failure to File a First Account or Petition for Final Distribution [Prob. C. 12200, et seq.)

DOD: 12/21/2005	KAMLJIT K. ASHAT, surviving spouse, was appointed as	NEEDS/PROBLEMS/
	Administrator with full IAEA authority and without bond	COMMENTS:
	on 2/10/2009.	Continued from 5/31/13. As
	At the time of the filing of the Petition for Probate the	of 7/16/13 the following
Cont. from 022213,	estate was estimated to be \$2,761,000.00.	issues remain:
032213 , 051013,	The decedent died intestate survived by his spouse and	
053113	three children, one of which is a minor.	
Aff.Sub.Wit.	Inventory and appraisal was due July 2009.	Need Inventory and Assertion of First are assert.
Verified		Appraisal, first account, petition for final
Inventory	First account or a petition for final distribution was due	distribution or current
PTC	April of 2010.	written status report
Not.Cred.	Notice of Status Hearing was mailed to attorney William	pursuant to Local Rule
Notice of Hrg	Cowin on 12/19/2012.	7.5 which states in all
Aff.Mail	Publication on a Status Domant Stanton on 0 /01 /12 atomorphy them	matter set for Status
Aff.Pub.	Preliminary Status Report filed on 2/21/13 states but for several lawsuits that arose after the death of the	Hearing (unless inventory
Sp.Ntc.	decedent, this probate could have been finalized at an	and appraisal <u>and</u> accounting or petition for
Pers.Serv.	earlier date. With the exception of a parcel of real	final distribution has been
Conf. Screen	property located on Blackstone Avenue, all real and	filed) verified Status
Letters	personal property assets on the estate are community	Reports must be filed no
Duties/Supp	property. The piece of property on Blackstone was	later than ten (10) days
Objections	purchased with community funds by the decedent when Mrs. Ashat was temporarily out of the country and	before the hearing and
Video	title was taken in the name of the decedent	shall be served on all interested parties.
Receipt	temporarily. The above referenced litigation involved a	ii lierestea parties.
CI Report	case where Mrs. Ashat and the Estate brought an	
9202	unlawful detainer action against tenants regarding a	
Order	portion of the Blackstone property. That case was	
Aff. Posting	settled. The second case is a Federal case, case no.	Reviewed by: KT
Status Rpt	1:121-CV-00224-AWI-SMS styled <i>Delgado v. Abdo Saleh</i> , - <i>USA Gas & Grocery and Kamaljit K. Ashat.</i> This issue is a	Reviewed on: 5/28/13
UCCJEA	man in a wheel chair who habitually files complaints	Updates:
Citation	against businesses whose bathrooms do not meet code	Recommendation:
FTB Notice	standards. The estate attorney is of the opinion that the	File 11 - Ashat
	estate cannot be closed until this Federal case is	
	concluded. The Federal case has finally been resolved	
	and closed in late 2012 and the attorney's office was only recently informed that the Federal case has been	
	concluded. They will now be moving forward with	
	completing a final accounting, transfer of title to Mrs.	
	Ashat and closing this estate.	
	· · · · · · · · · · · · · · · · · · ·	11

11 Sukhjinder Ashat (Estate)

Case No. 08CEPR00834

Status Report filed on 5/30/13 states since the last hearing Attorney Cowin was finally able to have a telephone call with Ms. Ashat and she confirmed that the federal case had been settled and that she would send the settlement documents and litigation cost billings to him. Since he had not received the information, Mr. Corwin states he contacted her again and she reassured him that she was sending the information right away. Mr. Cowin states he has not received the information nor any communication from her since that time, and, accordingly have not been in a position to finalize the documentation to close the probate at this time.

On Thursday, May 30th he was able to contact Mrs. Ashat's husband on his cell phone. He assured Mr. Cowin that he would help Mrs. Ashat gather the requested information and provide the same to him. Mr. Cowin request an additional 30 to 45 days to finalize this probate.

Felger, Warren P. (for Toni Richardson – Administrator)
Status Hearing Re: Receipt of Blocked Account

DOD: 06/02/11	TONI RICHARDSON, daughter, was	NEEDS/PROBLEMS/COMMENTS:
	appointed Administrator with Limited	
	Authority and without on 02/16/12. Letters of	Need Receipt for funds deposited
	Administration were issued on 02/22/12.	into a blocked account.
Cont. from	Order Confirming Sale of Real Property was	Note: No Order to Deposit Money into
Aff.Sub.Wit.	filed 05/21/13. Minute Order from hearing on	Blocked Account has been submitted to
Verified	05/21/13 states (in relevant part): The Court	or signed by the Court.
Inventory	orders that the proceeds be placed into a blocked account. And set this matter for	
PTC	status regarding Receipt for the Deposit of	
Not.Cred.	Money into Blocked Account.	
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		
Aff. Posting	-	Reviewed by: JF
Status Rpt	4	Reviewed on: 07/16/13
UCCJEA	4	Updates:
Citation	4	Recommendation:
FTB Notice		File 12 – Bonham

Atty Davis, David (pro per, former Administrator)
Atty Kruthers, Heather (for the Public Administrator)

Probate Status Hearing Re: Failure to File a First Account or Petition for Final Distribution (Prob. C. 12200, et seq.)

Distribution (Prob. C. 12200, et seq.)					
DOD: 7/25/2011 DAVID DAVIS , son, was appointed Administrator with full IAEA authority and without bond on 1/11/2012. On		NEEDS/PROBLEMS/ COMMENTS:			
	3/22/13 the Court removed DAVID DAVIS and				
	appointed the PUBLIC ADMINISTRATOR .				
Cont. from 032213, 062113	Inventory and appraisal shows an estate valued at \$325,344.45 (of which \$291,344.45 was cash)	Minute order dated 6/21/13 set an OSC and ordered David			
Aff.Sub.Wit.		Davis to be personally present on 7/19/13. (Please see page			
Verified	Creditor's Claims filed as follows:				
Inventory	Franchise Tax Board - \$9,769.87	13B)			
PTC	American Express - \$ 6,892.33				
Not.Cred.	American Express - \$ 999.45				
Notice of Hrg	DMC Services - \$ 352.56				
Aff.Mail	DMC Services - \$ 604.60 GE Capital Bank - \$ 300.84				
Aff.Pub.	GE Capital Bank - \$ 300.84 CitiBank - \$ 7,071.24				
Sp.Ntc.	<u>Bank of America</u> - \$ 877.11				
Pers.Serv.	Total - \$26,868.00				
Conf. Screen	Notice of Status Hearing was mailed to Attorney Gary				
Letters	Motsenbocker and Administrator David Davis on				
Duties/Supp	11/15/13.				
Objections	Administrator, David Davis, was formerly represented				
Video	by Gary Motsenbocker. Mr. Motsebocker filed a				
Receipt	Motion to be Relieved as Counsel on 11/7/12. Stating				
CI Report	he had difficulties communicating with the				
9202	Administrator. The Administrator was refusing to				
Order	provide information requested by counsel necessary				
Aff. Posting	to bring the matter to a conclusion. On 1/2/13 and order was signed granting Mr. Motsenbockers Motion	Reviewed by: KT			
Status Rpt	to be Relieved as Counsel.	Reviewed on: 7/16/13			
UCCJEA		Updates:			
Citation	Minute Order dated 1/2/13 ordered David Davis to be personally present at the status hearing on 3/22/13.	Recommendation:			
FTB Notice		File 13A - Davis			
	A copy of the Minute Order dated 1/2/13 was mailed to David Davis on 1/8/13.				
	Minute Order dated 3/22/13 states the court on its own motion removes David Davis as Administrator and appoints the Public Administrator.				
	Please see additional page				

Status Report of the Public Administrator filed on 6/14/13 states Deputy Public Administrator Noe Jimenez repeatedly tried to reach David Davis (former Administrator) by telephone. He left messages with a woman who informed him that Mr. Davis was not in and that she would leave messages for him to call. However, Mr. Davis failed to call.

On 4/23/13, Deputy Jimenez mailed a letter to Mr. Davis via certified mail. In the letter, Deputy Jimenez discussed the eight outstanding creditor's claims, the status of the assets listed on the inventory and appraisal filed by Mr. Davis and whether taxes for the estate had been paid. To date, no response to the letter has been received. Deputy Jimenez has also continued to try to reach Mr. Davis by telephone with no success. When no response was received Deputy Jimenez allowed the eight creditor's claims. However with no assets being turned over to the Public Administrator, the claims cannot be paid.

In light of the lack of cooperation from David Davis, the Public Administrator requests instructions from the Court.

Order to Show Cause Re: Failure to Turn Over Assets to the Public Administrator and Imposition of Sanctions in the Amount of \$500.00

DOD: 7/25/2011	DAVID DAVIS, son, was appointed Administrator with full IAEA authority and without bond on	NEEDS/PROBLEMS/COMMENTS:
	1/11/2012. On 3/22/13 the Court removed DAVID	
	DAVIS and appointed the PUBLIC ADMINISTRATOR.	
Cont. from	Status Report of the Public Administrator filed on	
Aff.Sub.Wit.	6/14/13 states Deputy Public Administrator Noe	
Verified	Jimenez repeatedly tried to reach David Davis (former Administrator) by telephone. He left	
Inventory	messages with a woman who informed him that	
PTC	Mr. Davis was not in and that she would leave	
Not.Cred.	messages for him to call. However, Mr. Davis failed	
Notice of Hrg	to call.	
Aff.Mail	On 1/23/13 Doputy limonar mailed a letter to Mr	
Aff.Pub.	 On 4/23/13, Deputy Jimenez mailed a letter to Mr. Davis via certified mail. In the letter, Deputy 	
Sp.Ntc.	Jimenez discussed the eight outstanding creditor's	
Pers.Serv.	claims, the status of the assets listed on the	
Conf. Screen	inventory and appraisal filed by Mr. Davis and	
Letters	whether taxes for the estate had been paid. To date, no response to the letter has been received.	
Duties/Supp	Deputy Jimenez has also continued to try to reach	
Objections	Mr. Davis by telephone with no success. When no	
Video	response was received Deputy Jimenez allowed	
Receipt	the eight creditor's claims. However with no assets	
CI Report	being turned over to the Public Administrator, the claims cannot be paid.	
9202 Order		
Aff. Posting	=	Reviewed by: KT
Status Rpt	Minute order dated 6/21/2013 states the Court sets	Reviewed by: KI Reviewed on: 7/16/2013
UCCJEA	an Order to Show Cause on 7/19/2013 regarding David Davis' failure to turn over assets to the Public	Updates:
Citation	Administrator and imposition of sanctions in the	Recommendation:
FTB Notice	amount of \$500.00. the court orders David Davis to be personally present on 7/19/2013.	File 13B – Davis
	Order to Show Cause was mailed to David Davis on 6/21/2013.	

Fanucchi, Edward L. (for Administrator Santos Perez)
Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 4/14/2012	SANTOS PEREZ was appointed	NEEDS/PROBLEMS/COMMENTS:
	Administrator with full IAEA authority and	.,,
	bond set at \$78,000.00 on 1/10/2013.	
	Σ 2	
Cont. from 060713	Bond was filed on 6/18/2013.	
Aff.Sub.Wit.		Need current verified written
Verified	Letters issued 6/18/2013.	status report pursuant to Local
Inventory		Rule 7.5 which states in all matters
PTC	Unverified Status Report filed on 6/5/2013	set for status hearing verified status reports must be filed no
Not.Cred.	states Walter L. Clark & Associates advised	later than 10 days before the
Notice of	6/4/13 that it had been unable to obtain an	hearing. Status Reports must
Hrg	Administrator Bond on Santos Perez, the petitioner herein, through one insurance	comply with the applicable code
Aff.Mail	company. On 6/4/13 counsel had been	requirements. Notice of the status
Aff.Pub.	advised that the file was filed after that	hearing, together with a copy of
Sp.Ntc.	disapproval and it fell through the cracks.	the Status Report shall be served
Pers.Serv.	Upon inquiry by Petitioner's counsel, the	on all necessary parties.
Conf.	bond application was sent to another	
Screen	bonding company on 6/4/13, and the	
Letters	morning of 6/5/13, counsel for Petitioner was advised the bond application had been	
Duties/Supp	approved and is being mailed to counsel	
Objections	today.	
Video	The bond will be filed sometime next week	
Receipt	so that Letters of Administration can be	
CI Report	issued.	
9202		
Order		
Aff. Posting		Reviewed by: KT
Status Rpt		Reviewed on: 7/16/2013
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 14 - Gonzalez

Atty

Gin, Robert W., of Griswold, LaSalle, Cobb, Down & Gin (for Terri Denise Gill, Executor)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 4/14/2012	TERRI DENISE GILL, daughter, was appointed	NEEDS/PROBLEMS/COMMENTS:
	Executor with Full IAEA without bond on 2/13/2013.	
	Letters issued on 2/19/2013.	OFF CALENDAR
		Final Inventory and Appraisal filed
Cont. from		7/12/2013.
Aff.Sub.Wit.		,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
Verified		
✓ Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order		Payioused by a LEC
Aff. Posting Status Rpt		Reviewed by: LEG Reviewed on: 7/16/13
UCCJEA		Updates:
Citation		Recommendation:
FTB Notice		File 15 - Hanggi

15

Atty Simonian, Jeffrey D., of Penner, Bradley & Simonian (for Cory W. Brock, Executor)

Status Hearing Re: Filing of the Inventory and Appraisal

DOD: 4/9/2012	CORY W. BROCK, son, was appointed Executor with Full IAEA without bond on 2/13/2013.	NEEDS/PROBLEMS/COMMENTS:	
	Letters issued on 2/19/2013.	Need Final Inventory and	
Cont. from Aff.Sub.Wit. Verified Inventory X PTC	Pursuant to Probate Code § 8800(b), Final Inventory and Appraisal was due 6/19/2013. Minute Order dated 2/13/2013 from the hearing on	Appraisal pursuant to Probate Code § 8800(b), or verified status report and proof of service of notice of the status hearing pursuant to Local Rule 7.5(B).	
Not.Cred. Notice of Hrg Aff.Mail	the petition for probate set the matter for a status hearing for filing of the final inventory and appraisal on 7/19/2013.		
Aff.Pub. Sp.Ntc.			
Pers.Serv. Conf. Screen			
Letters Duties/Supp Objections			
Video Receipt			
9202 Order			
Aff. Posting Status Rpt UCCJEA		Reviewed by: LEG Reviewed on: 7/16/13 Updates:	
Citation FTB Notice		Recommendation: File 16 – Brock	

16

Status Hearing Re: Filing of the Inventory and Appraisal

Age:		NEEDS/PROBLEMS/COMMENTS:
DOD:	=	
		OFF CALENDAR
		Inventory & Appraisal filed
Cont. from	1	05/03/13
Aff.Sub.Wit.	1	33, 32, 13
Verified	1	
Inventory	1	
PTC	=	
Not.Cred.		
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report		
9202		
Order	_	
Aff. Posting		Reviewed by: JF
Status Rpt		Reviewed on: 07/16/13
UCCJEA	_	Updates:
Citation		Recommendation:
FTB Notice		File 17 - Koontz

Citation **FTB Notice**

Durost, Linda K. (for Manuel Rojas – Administrator)

ventory and Appraisal

without

		Status Hearing Re: Filing of the Inventory
DOD: 12/19/12		MANUEL ROJAS, brother, was appointed Administrator with Full Authority and without bond on 02/14/13.
Cont. from		Letters of Administration were issued on 02/20/13.
Aff.Sub.Wit.		52, 23, 13.
Verified		Inventory & Appraisal, partial No. 1 filed
Inventory		05/01/13 - \$200,000.00
PTC		
Not.Cred.		
Notice of		
Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf.		
Screen		
Letters		
Duties/Supp		
Objections		
Video		
Receipt		
CI Report 9202		
Order		
Oldel		
Aff. Posting		
Status Rpt		
UCCJEA		
 		

NEEDS/PROBLEMS/COMMENTS:

1. Need Final Inventory & **Appraisal** or current written status report pursuant to Local Rule 7.5, which states: In all matters set for status hearing, verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.

Note: Petitioner filed a First Amendment to the Petition on 06/10/13 that lists decedent's deceased siblings and their issue unintentionally omitted from the Petition for Probate. Waivers of bond have been filed by two of the newly disclosed heirs: however, Waivers of Bond are also needed from Elizabeth McCollough and Loretta O'Casey or bond should be set in the amount of \$315,000.00.

Note to Judge: The Court may wish to verify with the Administrator that all intestate heirs have now been given notice of the proceeding.

Reviewed by: JF		
Reviewed on: 07/16/13		
Updates:		
Recommendation:		
File 18-Sanchez		

18

Hemb, Richard E (for Administrator Dawnette Myers)
Status Hearing Re: Filing of the Inventory and Appraisal

DC	D: 4/15/2012	DAWNETTE MYERS was appointed as	NEEDS/PROBLEMS/COMMENTS:
		Administrator with full IAEA authority and	
		without bond on 1/9/2013.	2. Need current verified written
		=	status report pursuant to Local
		Letters issued on 1/11/2013.	Rule 7.5 which states in all
	nt. from 060713,	Minute order dated 1/0/2012 set a status	matters set for status hearing
070)513	Minute order dated 1/9/2013 set a status hearing for the filing of the inventory and	verified status reports must be
	Aff.Sub.Wit.	appraisal.	filed no later than 10 days
	Verified		before the hearing. Status
	Inventory	Status Report filed on 7/2/13 states the assets of	Reports must comply with the applicable code
	PTC	the estate consists of one personal residence.	requirements. Notice of the
	Not.Cred.	The personal representative has information on	status hearing, together with a
	Notice of Hrg	this asset and it is ready to proceed with obtaining an appraisal by the appointed	copy of the Status Report shall
	Aff.Mail	probate referee.	be served on all necessary
	Aff.Pub.		parties or inventory and
	Sp.Ntc.	However, the current estate also has a 1/4	appraisal.
	Pers.Serv.	interest in the estate of the decedent's father, Edward L. Myer, Sr. who passed away on	
	Conf. Screen	4/5/2003. The estate is currently being	
	Letters	administered in case no. 03CEPR00979. The	
	Duties/Supp	Court in case no. 03CEPR00979 allowed the	
	Objections	personal representative to create a limited	
	Video	liability company (LLC) to manage certain	
	Receipt	parcels of real property owned by Edward L. Myer, Sr. The reason for the creation of the LLC	
	CI Report	appears to be a liability concern based on	
	9202	contamination found on the real property.	
	Order	<u>]</u>	
	Aff. Posting	Accordingly, the personal representative of this	Reviewed by: KT
	Status Rpt	estate is having difficulty in preparing an inventory and appraisal for those assets.	Reviewed on: 7/16/13
	UCCJEA		Updates:
	Citation		Recommendation:
	FTB Notice		File 20 – Myers